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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/323,135	06/01/1999	CHRISTIAN LAROQUE	Q054622	8820

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EXAMINER

PHILPOTT, JUSTIN M

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 10/07/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/323,135

Applicant(s)

LAROQUE ET AL.

Examiner

Justin M Philpott

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 5, 2003 has been entered.

Drawings

2. The drawings were received on June 5, 2003. These drawings are approved.

Allowable Subject Matter

3. The indicated allowability of claims 2 and 4 is withdrawn in view of the newly discovered reference to Kabay. Rejections based on the newly cited reference follow.

Claim Objections

4. Claims 1 and 2 are objected to because of the following informalities: it appears that "on" (claim 1, line 2) should be changed to "upon"; and "to process" (claim 2, line 3) should be changed to "processing" in order to remain consistent with the present claim language.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,949,871 to Kabay et al.

Regarding claims 1 and 3, Kabay teaches a switch (e.g., EO1 of FIGS. 6-12) provided with a signaling coupler (e.g., intercept box), the switch including an interpreter to produce a signaling configuration (e.g., signaling message, such as Initial Address Message, comprising service trigger conditions, see col. 7, line 2 – col 8, line 11) upon receiving a predetermined character string (e.g., dialed number, DN) corresponding to an order to send a signaling message, the signaling configuration (e.g., signaling message comprising service trigger conditions) depending on the signaling resources accessible to the coupler (e.g., service trigger condition data stored in a database, see col. 13, lines 10-19), the coupler including a receiver for adding a receive flag (e.g., location routing number coupled with flag, see col. 16, lines 2-67, specifically lines 44-67) to a received signaling message (e.g., IAM).

Regarding claims 2 and 4, Kabay further teaches the coupler (e.g., intercept box) has a detector (e.g., database lookup) for recognizing whether the received signaling message is addressed to the switch (e.g., see col. 17, lines 12-15), and processing the message accordingly, and a translator for replacing the receive flag (e.g., comprising location routing number, or LRN) with the predetermined character string (e.g., dialed number, or CdPN) if the switch is not itself the destination (e.g., see col. 7, lines 62-65 wherein the LRN will be the same as the original CdPN for non-ported customers).

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Regarding claims 5 and 7, Kabay teaches the interpreter is configured to process an IP protocol (e.g., see col. 18, lines 32-38).

Regarding claims 6 and 8, the interpreter in the switch (e.g., EO1) of Kabay comprises a programmed operation (e.g., see col. 5, lines 52-59) and thus inherently comprises one of: (a) a microprocessor associated with a program, and (b) a working session in a processor running the switch.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,594,353 to Weinhappl discloses a signaling method of the previously cited document, "DE 196 44 787 C".

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M Philpott whose telephone number is 703.305.7357. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on 703.308.6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.4750.


Justin M Philpott


HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600